3/16/72

Mr. Leonard Ackerman, Attorney
Columbia Broadcasting System
51 West 52 St.,
New York, N.Y. 10019

Dear Mr. Ackerman,

In the past I have asked and been refused the opportunity of presenting the other than official version of the King assassination and the case of James Earl Ray on CBS and by you. Although my request related to the appearance of Percy Foreman on the Merv Griffin Show, this was not the only one-sided presentation by CBS, others that I recall being other presentations of Mr. Foreman and of William Bradford Huie and, I think, Jim Bishop. Many issues and questions of national importance and concern are involved in any one-sided airing of any aspect of this case and to the best of my knowledge, CBS has not only aired this one side alone but it has also refused to air me when I am the only expert on the other side, the only one who has taken the enormous time required for an investigation of the fact and relevant issues as distinguished from the commercial but really irrelevant sensa. For your understanding, prior to my writing you, a year ago, on the appearance of my non-fiction book PLATE-UP, CBS refused to air this side and prior to that did the same on the occasion of my filing a Freedom-of-Information suit against the government (successful) to obtain suppressed evidence in this case.

Now Doubleday is about to bring forth Gerold Frank's "An American Death", a retreading of the same official version of this case that has never come to trial. Its appearance in a few weeks coincides with James Earl Ray's efforts to get an open trial and can seriously prejudice Mr. Ray's rights and possibilities. Beginning with a six-figure advance and including a number of pre-publication book-club arrangements, the commercial success of this venture would seem to be impossible without the free use of the people's air, including by CBS.

Under the circumstances and with the CBS partisan record on this subject, I believe it would be wrong for you to make still-new, one-sided presentation of this subject and all that is inevitably involved in it. If CBS does present Mr. Frank, I think it should make possible simultaneous appearance by me as the only one qualified to present the side opposite Mr. Frank's. Simultaneous appearance may not be the requirement of the regulations, and there is no possibility of any profit in it for me, but I hope you will agree that real fairness can be achieved in no other way if CBS or any of its licensees or programs presents Mr. Frank.

Mr. Frank, like the others CBS has aired, says Mr. Ray was the lone assassin. Mr. Ray, because he is in jail and for other reasons, some of which should be obvious to you, cannot speak for himself. He has authorized me to speak for him. He not only denies he was the assassin or an assassin, but there has been no judicial determination on this and in the substitute for a trial, if there can really be such a thing, it is quite explicit that he there denied this charge. Even under duress you should understand he refused to say he killed.

I do hope CBS will meet its obligations under applicable FCC regulations and will be fair to Mr. Ray. Please accept this letter as our formal request, even though in advance of any airing of Mr. Frank, so that if he is aired genuine fairness may be possible.

Sincerely,
Harold Weisberg